EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 3

DOCKET NO.: 2007-0304-PWS-E **TCEQ ID:** RN101190809 **CASE NO.:** 5864

RESPONDENT NAME: Kathie Bryant dba Buena Vista Water System

	•					
ORDER TYPE:						
1660 AGREED ORDER	X FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING				
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER				
AMENDED ORDER	_EMERGENCY ORDER					
CASE TYPE:						
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE				
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION				
WATER QUALITY	WATER QUALITYSEWAGE SLUDGEUNDERGROUND INJECT. CONTROL					
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION				
TYPE OF OPERATION: Public water support of the significant matters: The facility location. INTERESTED PARTIES: No one other the COMMENTS RECEIVED: The Texas Region of the support of the significant of the support of	_ No re are no complaints. There is no record of addition and the ED and the Respondent has expressed an integister comment period expired on December 17, 200 or: None r: Mr. Christopher Keffer, Enforcement Division, En	al pending enforcement actions regarding this rest in this matter. 7. No comments were received. aforcement Team 2, MC 169, (512) 239-5610;				

experienced within the distribution system.

specifications, which have been prepared

This study shall include plans and

VIOLATION SUMMARY CHART:

CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED A BOOK Total Assessed: \$8,931 **Corrective Actions Taken:** Type of Investigation: Complaint 1) The Executive Director recognizes that X Routine Total Deferred: \$0 ___ Enforcement Follow-up the Respondent has maintained Expedited Settlement compliance with the MCL for HAA5 since Records Review the third quarter of 2006. Financial Inability to Pay Date(s) of Complaints Relating to this **Ordering Provisions:** Case: None SEP Conditional Offset: \$0 2) The Order will require the Respondent Date of Investigation Relating to this Total Paid (Due) to General Revenue: \$105 Case: November 3, 2006 (remaining \$8.826 due in 7 monthly payments of \$105 each, 27 monthly payments of \$289 a. Within 10 days after the effective date of Date of NOV/NOE Relating to this Case: each, and one final payment of \$288) this Agreed Order, begin maintaining a August 8 and December 21, 2006 (NOE) residual disinfectant concentration of at The Financial Assurance Section of the least 0.2 mg/L free chlorine or 0.5 mg/L Background Facts: This was a routine Commission's Financial Administration chloramine in the water entering the Division reviewed financial documentation investigation. submitted by Ms. Bryant and determined that distribution system. WATER Ms. Bryant is able to pay the full payable b. Within 30 days after the effective date penalty in accordance with the installment of this Agreed Order: 1) Failed to equip each filter with an onschedule detailed above. line turbidimeter and recorder [30 Tex. i. Equip each filter with an on-line ADMIN. CODE § 290.42(d)(11)(E)(ii)]. Site Compliance History Classification turbidimeter and recorder which allows the High __ Average Poor operator to measure and record the 2) Failed to equip each filter with a turbidity at 15 minute intervals; and manually adjustable rate-of-flow controller Person Compliance History Classification with rate-of-flow indication or flow control __ High ___ Average __ Poor valves with indicators [30 Tex. ADMIN. ii. Equip each filter with a manually CODE § 290.42(d)(11)(D)(i)]. Major Source: ___ Yes _X_ No adjustable rate-of-flow controller with rate-of-flow indication or flow control valves with indicators. 3) Failed to provide a service pump Applicable Penalty Policy: September 2002 capacity that provides each pump station or c. Within 45 days after the effective date of pressure plane with two or more pumps Findings Orders Justification: The this Agreed Order, submit written that have a total capacity of 2.0 gallons per Respondent has three repeated enforcement certification of compliance with Ordering minute ("gpm") per connection or that actions over the prior five year period for the Provisions 2.a. and 2.b., as described on have a total capacity of at least 1,000 gpm same violations and the violation of an Agreed Ordering Provision 2.j. and the ability to meet peak hourly Order. demands with the largest pump out of service, whichever is less [30 Tex. ADMIN. d. Within 90 days after the effective date CODE § 290.45(b)(2)(F) and TEX. HEALTH of this Agreed Order: & SAFETY CODE § 341.0315(c)]. i. Provide a service pump capacity for each pump station or pressure plane with two or 4) Failed to provide a treatment plant more pumps that have a total capacity of capacity of 0.6 gpm per connection [TCEQ Agreed Order Docket No. 2003-0360-2.0 gpm per connection; PWS-E, Ordering Provision 2.c.i., 30 Tex. ii. Provide a treatment plant capacity of 0.6 ADMIN. CODE § 290.42(b)(2)(B) and TEX. HEALTH & SAFETY CODE § 341.0315(c)]. gpm per connection; and iii. Submit an engineering study which 5) Failed to provide a minimum water addresses the low pressures being

pressure of at least 35 pounds per square

system [TCEQ Agreed Order Docket No.

2003-0360-PWS-E, Ordering Provision

inch ("psi") throughout the distribution

RESPONDENT NAME: Kathie Bryant dba Buena Vista Water System **DOCKET NO.:** 2007-0304-PWS-E

2.c.iii. and 30 Tex. ADMIN. CODE § 290.44(d)].

- 6) Failed to operate the disinfection equipment to maintain a minimum free chlorine residual of 0.2 milligrams per liter ("mg/L") in each finished water storage tank and throughout the distribution system at all times [30 Tex. ADMIN. CODE § 290.46(d)(2)(A)].
- 7) Failed to comply with the maximum contaminant level ("MCL") of 0.060 mg/L for haloacetic acid ("HAA5") [30 Tex. ADMIN. CODE § 290.113(f)(5) and Tex. HEALTH & SAFETY CODE § 341.0315(c)].
- 8) Failed to comply with the MCL of 0.080 mg/L for trihalomethanes ("TTHM") [30 Tex. Admin. Code § 290.113(f)(4) and Tex. Health & Safety Code § 341.0315(c)].

by a registered professional engineer, for any system improvements needed to maintain a minimum pressure of 35 psi at all points within the distribution network at flow rates of at least 1.5 gallons per minute per connection.

- e. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the study, plans and specifications within 30 days after the date of such requests, or by any other deadline specified in writing.
- f. Within 105 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.d., as described on Ordering Provision 2.j.
- g. Within 180 days after the effective date of this Agreed Order, begin operating the Facility so as to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions.
- h. Within 195 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.g., as described on Ordering Provision 2.j.
- i. Within 365 days after the effective date of this Agreed Order, return to compliance with the running annual average MCL for TTHM.
- j. Within 380 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.i.

Additional ID No(s).: PWS 0270008

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		nalty Ca	alculatio	n Works	heet (P		0.007
Policy Revision 2 (Se	otember 2002)					PCW Revision Jar	nuary 9, 2007
DATES Assigned	I 22 Ion 2007 I	 					
DATES Assigned PCW		Scrooning	15-Feb-2007	FPA Due	31-Aug-2007	Ĭ	
	7-Wai-2007	ociceg_	10-1 CD-2001		01 / tag 2001		
RESPONDENT/FACILITY	Y INFORMATION			,		An internal and a second and a	
	Kathie Bryant di		ta Water Syste	m			
Reg. Ent. Ref. No							
Facility/Site Region	11-Austin			Major/N	Minor Source	Minor	
7				******		·	
CASE INFORMATION	E064			1 No.	of Violations	Ιο ,	1
Enf./Case ID No	. 2007-0304-PW	S.E		NO.	Order Type		
Media Program(s				Fnf		Sandy VanCleave	
Multi-Media		(PP)				Order Compliance Team	
Admin. Penalty \$		\$50	Maximum	\$1,000			•
		¥55		+ 1,1222			
		Penalt	ty Calcula	ation Sect	tion		
TOTAL BASE PENA	LTY (Sum of		-			Subtotal 1	\$3,900
	-		•			, , , , , , , , , , , , , , , , , , , ,	
ADJUSTMENTS (+/-							
Subtotals 2-7 are obta		e Total Base Per		•		-4-4-0-0-0-7	\$4,056
Compliance His				Enhancement	**************************************	otals 2, 3, & 7	\$4,056
			16 NOVs that				0000
Notes			in this enforcer ilar and one ac				\$ CRICKERS
	are not the		ing a denial of		ieni order		
		COITIAIII	ing a demar of	nability.			
Culpability	Yes		25%	Enhancement		Subtotal 4	\$975
	The Responde	ent was issue	d a notice of a	ert letter for tri	halomethane		
Note			on June 24, 200				W. Carrier
Note			eedances on				
Good Faith Effo	rt to Comply		0%	Reduction		Subtotal 5	\$0
	Before NOV	NOV to EDPRI	P/Settlement Offer				
Extraordinar	*						
Ordinar			,				
N/		(mark with x)				1	
Note	s The R	espondent do	es not meet th	e good faith cr	iteria.		
				Enhancement*		Subtotal 6	\$0
Annrox	Total EB Amounts c. Cost of Compliance	\$3,888 \$20,300	*Cappe	d at the Total EB \$	S Amount		
уфргол	a cost of compliance	ψ20,000					
SUM OF SUBTOTAL	LS 1-7			,	,	Final Subtotal	\$8,931
OTHER FACTORS A	AS JUSTICE M	AY REQU	IRE			Adjustment	\$0
Reduces or enhances the Final	Subtotal by the indica	ted percentage.	(Enter number on	ly; e.g30 for -30	%.)		
Notes					,	1	
Notes					med I Ph	J	60.024
					⊦inal Pe	nalty Amount	\$8,931
OTATITODY I III	AD HIOTETT	-			processor in the second	name of the last o	\$8,931
STATUTORY LIMIT	ADJUSTMEN	1			Final Asse	essed Penalty	ФО,УЗ Т
				551	1	A -10	\$0
DEFERRAL		organi /	toe number	0%	Reduction	Adjustment	\$ 0
Reduces the Final Assessed P	enalty by the indicted [bercentage. (En	е питьег опу; е	y. 20 101 20% real	исион.)	1	
Notes	No deferra	ıl is recomme	ended because	this is a Findir	ngs Order.		
						_	

PAYABLE PENALTY

\$8,931

Screening Date 15-Feb-2007

Docket No. 2007-0304-PWS-E

PCW

Respondent Kathie Bryant dba Buena Vista Water System

Case ID No. 5864

Reg. Ent. Reference No. RN101190809

Media [Statute] Public Water Supply

Enf. Coordinator Sandy VanCleave

Policy Revision 2 (September 2002) PCW Revision January 9, 2007

Compliance History Worksheet

Component		nter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	16	80%
and the second second	Other written NOVs	2	4%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)		20%
Örders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	. 0% :
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0 1	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	. 0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Pleas	se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	.0%
	Adjustment P	ercentage (Sı	ıbtotal 2) [
eat Violator (Su	btotal 3)		
N/A	A Adjustment P	ercentage (Su	ıbtotal 3) [
npliance History	/ Person Classification (Subtotal 7)	Control to the party	milioter 170
N/A	Adjustment P	ercentage (Su	ıbtotal 7) [
npliance History	, Summary		
Compliance History Notes	The Respondent received 16 NOVs that are the same or similar as those violations addre enforcement action, two NOVs that are not the same or similar and one agreed enforcer containing a denial of liability.		
	Total Adjustment Percentage		_

Screening Dat	15-Feb-2007	Docket No. 2007-0304-PWS-E	PCW
-	: Kathie Bryant dba Buena Vista	Water System	Policy Revision 2 (September 2002)
Case ID No			PCW Revision January 9, 2007
Reg. Ent. Reference No	RN101190809		Continuente
Media [Statute	Public Water Supply		THE PARTY AND A STATE OF THE PARTY AND A STATE
Enf. Coordinate			•
Violation Numb	1		
Rule Cite(30 Tex. A	Admin. Code § 290.42(d)(11)(E)(ii)	*
Violation Description		h an on-line turbidimeter and recorder which allo and record the turbidity at 15 minute intervals.	ws the
Priori LLV 1 1440 2012 7-4 ct 8000 me 2020 64 A 2012 85 a alia 2014 85 a alia 201	TYPE OF STEEL AND TYPE AND TYPE AND THE OFFICE AND		Penalty \$1,000
>> Environmental, Property	Harm	Minor	
OR Actu			Account of the Control of the Contro
Potent	I X	Percent 10%	vocamana
			ACCEPTANCE OF THE PROPERTY OF
>>Programmatic Matrix Falsification	Major Moderate	Minor	000000000000000000000000000000000000000
raisilicatio	Major Moderate	Percent 0%	
Matrix Notes Human he not exceed	evels that are protective of huma	exposed to significant amount of pollutants whic an health if the operator cannot determine the tu uired intervals.	n would rbidity at
THE RESERVE AND THE PROPERTY OF THE PARTY OF	NAME OF TAXABLE PARTY.	Adjustment	\$900
			\$100
	WINDOW MACCONDO THE AREAS I DOD TO MACCONDINA	Province Nations of the Commission of the National State (National State of the Commission of the Co	BEGENDAUCHARIX P
Violation Events	The Carting to the Carting of the Ca		
Number of	iolation Events 2	104 Number of violation days	3
mark only or with an x	daily monthly quarterly x semiannual annual single event	Violation Base	Penalty \$200
Two o	arterly events are recommended igation conducted on November	based on documentation of the violation during 3, 2006, to the screening date, February 15, 200	the 07.
Economic Benefit (EB) for	nis violation	Statutory Limit Tes	t
Estima	ed EB Amount	\$35 Violation Final Pena	ilty Total \$458
	-		
United the designation of the analysis of the	This	violation Final Assessed Penalty (adjusted fo	or limits) \$458

Case ID No. 9 Reg. Ent. Reference No. I	าหา4					1.00	
					-	Service of the	
	Public Water S	unnly			reg fr	raich saidt a budt	Years of
Violation No.		прріу			and the second	Percent Interest	Depreciation
Violation ivo.	* - cor summer memore				lice on the base of the	5.0	15
한 경영화를 받아 나는 하는 병원	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
		Date Required	Final Date	ris	mileresi Saveu	Onethine Costs	ED AMOUNT
Item Description	No commas or \$	evancas de estats estat, i		1.1,304.0			
	Andrewer and a service and a s	erroment of the total of	responses of the Color State (Color	Prikaniskus,	Savarni gani savani stava in ma		
Delayed Costs	35 AND 6646	dileteral care a	V 04 0 4 0007	revenorie sa	1 00	1 666 1	005
Equipment	\$500	3-Nov-2006	31-Oct-2007	1.0	\$2	\$33	\$35 \$0
Buildings		اللاسك والمسارة	hara a la caraci	0.0	\$0 \$0	\$0 \$0	\$0
Other (as needed)		10		0.0	\$0	\$0 \$0	\$0 \$0
Engineering/construction				0.0	\$0	n/a	\$0 \$0
Land L	A CONTRACTOR OF THE PARTY OF TH			0.0	\$0	n/a	\$0
Record Keeping System Training/Sampling				0.0	\$0	n/a	\$0 \$0
Remediation/Disposal				0.0	\$0	n/a	\$0 \$0
Permit Costs	<u> </u>		and the latest College and	0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Other (as needed)			HUNTING	A STANDAY BUSINESS	TATIVE II DESCRIPTION OF STREET	per les registres la jourc	
Notes for DELAYED costs	Estimated of					er. Date required is	the date the
Notes for DELAYED costs	and the	violation was	documented. Fina	l date is	the estimated dat	e of compliance.	
المسترين والمسترين والمسترين	THE PROPERTY OF THE PARTY OF TH	O ATTION FOR THE STATE OF THE			NAMES OF THE PARTY	one-time avoided o	BEACK
Avoided Costs	ANN ANN	UALIZE [1] avoid	eu costs before e				\$0 5(5)
Disposal	i digili i i i i i i i i i i i i i i i i i		The Control of Control	0.0	\$0 \$0	\$0 \$0	\$0
Personnel			Book in a Charles and a constant	0.0	\$0 \$0	\$0 \$0	\$0
Inspection/Reporting/Sampling	T. C.	Eller er i eller SISTATION	1/4 FS	0.0	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/equipment	and the partition of the second		Negration and the contract of	0.0	\$0	\$0	\$0 \$0
Financial Assurance [2]			is secure del de la companion	0.0	\$0	\$0 \$0	\$0
ONE-TIME avoided costs [3]	and a description of the		ار مضاد کاف شا اطالا از دو بودو در دودو رو	0.0	\$0	\$0	\$0
Other (as needed)	Savari Militari		Experience of the second	<u> </u>	J	<u>Γ</u>	
	Districts of an		TO ARROW A Service		Miles Albert	All Bridge and San Care	444
Notes for AVOIDED costs							The State of
HOLES IOI AVOIDED COSES							
				ria de de la compansión d La compansión de la compa			
\$=							#

Scr	eening Date	15-Feb-2007		Docket No. 2007-0304-PWS-E		PCW
	Respondent	Kathie Bryant	dba Buena Vista Water Sy	stem	Policy Revision 2 (Septe	mber 2002)
	Case ID No.				PCW Revision Janu	ary 9, 2007
-	eference No.					
Me	dia [Statute]	Public Water S	Supply			
Enf.	Coordinator	Sandy VanCle	eave			
Vic	olation Number	<u> </u>				
	Rule Cite(s)		30 Tex. Admin. Co	ode § 290.42(d)(11)(D)(i)		
Violati	on Description	Failed to equ		ly adjustable rate-of-flow controller control valves with indicators.	with rate-of-	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
>> Environmenta	al, Property a	and Human		E	Base Penalty	\$1,000
OR	Release Actual		Harm Moderate Minor	1		
	Potential	<u> </u>	х	Percent 10	%	
>>Programmatio	: Matrix Falsification	Major Major	Moderate Minor			
					<u>%</u>	
Matrix Notes	The influe operational	rate-of-flow ind	licators. This may allow a s	ately measured during filter operati significant amount of pollutants which In health to pass through the filters.	on without ch would not	
				Adjustment	\$900	
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,						\$100
Violation Events	\$5.44 11 F1 121 100 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	olation Events	2	104 Number of violation	davs	
	Number of Vi	daily monthly				
	mark only one with an x	quarterly semiannual annual single event	X	Violation I	Base Penalty	\$200
	Two qu investi	arterly events gation conduct	are recommended based o ed on November 3, 2006, t	on documentation of the violation du the screening date of February 15	iring the 5, 2007.	
Economic Bene	fit (EB) for th	nis violation		Statutory Limit	Test	arrange.
	Estimate	d EB Amount	\$104	Violation Final	Penalty Total	\$458
						64 FC
	The state of the s		This violatio	n Final Assessed Penalty (adjust	ea tor limits)	\$458

Case ID No		dba Buena Vista Wa	ater System				A Page 1
Reg. Ent. Reference No	. RN101190809					1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	The f
	Public Water S						Years of
Violation No						Percent Interest	Depreciation
Violation No	Maria Herricola				THE REMAINSTRAFF IN S	5.0	15
	CP 141 LUCAREMENTAL	e todak diki 👢 .	er ar er ar	11.0000	ing parameter with a second	t	************
HEST OF PRODUCTIONS	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	1 No commas or \$	Sagaranticiona y y		Just S		de la chi	
1.4 - <u>1.1.</u> 4 (1.16.1) (1.1. (er southearthear till a till at teath	cremate expression and section 1		esing staticism			
Delayed Costs		3-Nov-2006	31-Oct-2007	1 46	\$5	\$99	\$104
Equipment Buildings	\$1,500	3-NOV-2006	31-OCI-2007	0.0	\$0	\$0	\$0
-	and the second second		2000 W 100 W	0.0	\$0	\$0	\$0
Other (as needed) Engineering/construction				0.0	\$0	\$0	\$0
Engineering/construction		 		0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	-			0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
AL ALL COMMITTEE AND ALL	Estimateo	cost to equip the fil docume	nted. Final date	s the es	timated date of co	mpliance:	
Notes for DELAYED costs	kas da	<u> بود بنا فالمانين ورئي بدايد تبارا</u>				awa tiwa awaidad .	
Avoided Costs	ANN	IUALIZE [1] avoide	d costs before e	ntering		one-time avoided (
	S ANN	UALIZE [1] avoide	d costs before e	0.0	\$0	\$0 (3)	\$0
Avoided Costs Disposal Personnel	ann	UALIZE [1] avoide	d costs before e	0,0	\$0 \$0	\$0 :: \$0	\$0;;;;;;; \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	\$ ANN	IUALIZE [1] avoide		0.0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	S ANN	UALIZE [1] avoide		0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	\$ ANN	UALIZE [1] avoide		0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0	\$0 (3) \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	3 ANN	IUALIZE [1] avoide		0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/aquipment Financial Assurance [2]	SANN	UALIZE [1] avoide		0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 (3) \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	S ANN			0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0

ter set,

Respondent Kathie Bryant dba Buena Vista Water System	
OID NI	Policy Revision 2 (September 2002)
Case ID No. 5864	PCW Revision January 9, 2007
Reg. Ent. Reference No. RN101190809	
Media [Statute] Public Water Supply	
Enf. Coordinator Sandy VanCleave	
Violation Number 3	
Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(2)(F) and Tex. He	ealth & Safety Code § 341.0315(c)
Failed to provide a service pump capacity that provide plane with two or more pumps that have a total capacity of to meet peak hourly demands with the largest pump. Specifically, during the investigation, it was documer a service pump capacity of 180 gpm. Based on the system is required to provide a service pump.	apacity of 2.0 gallons per minute of at least 1,000 gpm and the ability p out of service, whichever is less. Inted that the water system reported a number of connections, the water
	Base Penalty \$1,000
>> Environmental, Property and Human Health Matrix	
Harm	는 가능하게 하면 보는 Till Table Till Tab
Release Major Moderate Minor	
OR Actual	B
Potential X	Percent 10%
SSProgrammatic Matrix	
>>Programmatic Matrix Falsification Major Moderate Minor	325 de 1860 de 1860 de 1860 d
Tulolinodatori imajor imadorida	Percent 0%
[land of the second of the seco
Matrix Notes Inadequate service pump capacity (27% deficient) could result outages that may allow a significant amount of contaminants to ent exceed levels that are protective of humanical contaminants.	ter the water supply which would not
	Adjustment \$900
	\$100
Violation Events	
Violation Events	
Number of Violation Events 2 104	Number of violation days
daily monthly	
mark only one quarterly x	Violation Base Penalty \$200
with an x semiannual	· · · · · · · · · · · · · · · · · · ·
annual	
single event	
Two quarterly events are recommended based on documents investigation conducted on November 3, 2006, to the screen	ation of the violation during the hing date of February 15, 2007.
	Statutory Limit Test
Economic Benefit (EB) for this violation	
The simple interest in the contract of the con	and deplace and the second of
Estimated EB Amount \$122	Violation Final Penalty Total \$458

Case ID No Reg. Ent. Reference No	. 5864	lba Buena Vista W				€] «{]».	
Media	Public Water S	upply			111 11	Percent Interest	Years of
Violation No	. 3			48.7503 CAND	ENGLINGUOREENIMANAN PARANTAN		Depreciation
The state of the state of the			1.101.8.13		animizati 2015 Vilia	5.0	. 1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	Billio hilitarini	apolinės (policie ir irijo). Si			dia il din	1
Delayed Costs		or o side considerate	utalenda (j. 20	10449			
Equipment	\$1,500	3-Nov-2006	:: 31-Dec-2007	1.2	\$6	\$116	\$122
Buildings		His Calley and the	and an old officerally	.0.0	\$0	\$0	\$0
Other (as needed)	Niggil		الأمامة المراوية والمتالية	0.0	\$0	\$0	\$0
Engineering/construction	ida			0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a 11	\$00,000
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling			earling an again	0,0	\$0	l n/a	\$0
Remediation/Disposal	Linear Language	Commission Concernical	المتعدد والمعتدد	0,0	\$0	ll n/a	\$0
Permit Costs				0.0	\$0	l n/a	\$0
Other (as needed)	and the second s			0.0	\$0	n/a	\$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	required	is the date the vi	olation was docum	ented. I	inal date is the e	ourly demands of the stimated date of concertime avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	pliance.
ONE-TIME avoided costs [3] Other (as needed)	1				engent allen in Nett. NGAs 1 allen Nett.	i en la co rrespondações Antidos comunicações de la comunicaç	en et et en

Screening Date	15-Feb-2007		D	ocket No.	2007-0304	4-PWS-E		PCW
Respondent	Kathie Bryant	dba Buena V	ista Water Syst	tem			Policy Re	vision 2 (September 2002)
Case ID No.	5864						PCV	V Revision January 9, 2007
Reg. Ent. Reference No.	RN101190809							
Media [Statute]	Public Water S	Supply						
Enf. Coordinator								
Violation Number								
Rule Cite(s)	TCEQ Agreed Admin. C	d Order Dock Code § 290.4	cet No. 2003-03 5(b)(2)(B) and ⁻	60-PWS-E, C Tex. Health &	Ordering P Safety Co	rovision 2 ode § 341	2.c.i., 30 Tex. .0315(c)	·
Violation Description	during the inve million gallons mgd based or	estigation, it was per day ("mention the sedime	nent plant capa was documente gd") based on t ntation basin ca equired to provid cor	d that the sys he limitations apacity. Base	tem's trea of four pre d on the r	itment ca essure fili number of	pacity is 0.081 ers and 0.079 connections,	
					•		Base Penalty	\$1,000
>> Environmental, Property	and Human I	Health Mar	trix	orderfranke untvise i		saere tra eraale s	area Educa	
Release	e Major	Moderate	Minor					THE PARTY OF THE P
OR Actua						900000000000000000000000000000000000000		
Potentia		X			Percent	1	0%	
ALOMETERS.	100000000000000000000000000000000000000		1400	SOME RESERVED.				
>>Programmatic Matrix Falsification	Major	Moderate	Minor					
raisiication	Najoi	Moderate	1011101		Percent		0%	
	<u></u>		<u> </u>			L		
Matrix and low wa	treatment plant ter pressure or distributed to th	inadequate v	vater supply res	sulting in a sig	nificant ar	nount of ective of I	contaminants	
	8467648744 s 2 574 58	25.40.53.006.0044		an an Kaskakanan P	lajasamen	 	-	
								\$100
	# E.25		The sales have a series	and the first of the	Statistical Party		Mest access	1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
Violation Events			Jan 64	CERTIFICATION CO.	al ad tige		a suppositions	
Number of V	iolation Events	11	Ī	977	Number o	of violatio	n days	
	Ţ.		<u> </u>		ח		•	
de la constant de la	daily]					
mark only one with an x	monthly quarterly semiannual annual single event	Х				Violation	Base Penalty	\$1,100
Eleven qua	rterly events are	e recommend nforcement s	ded based on the	ne Order effect of February 1	tive date o	of June 1	3, 2004, to the	
Economic Benefit (EB) for the	nis violation		T PROMISE A	San de Carro	Statuto	ry Limi	t Test	
Estimate	ed EB Amount		\$2,485]	Violat	ion Fina	Penalty Total	\$2,519
		THE STATE	This violation	Final Asses	sed Pena	ity (adjus	sted for limits)	\$2,519

Red. Elit. Reference No.	RN101190809					* - 41 S	
그 그는 🖶 그는 그 기계 2010년 1일 10일 11일 11일 11일 11일 11일 11일 11일 11일	Public Water S	upply			e de la filoso de la compania del compania del compania de la compania del compania del compania de la compania de la compania del comp	Percent Interest	Years of Depreciation
		Lag and Attended to			Dovid Dig Vivi	5.0	1:
2000 AND MARKET	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	parally des	\$40000005551.111	t eldayysharida dari	
Delayed Costs	ne alla comina con colo	A CHASS RECEIPTED TO CASE OF	il de la la companion de la co	y. Mallanin	/Shandshire 1		
Equipment	Parisipa Assistant			0.0	\$0	\$0	\$0
Buildings	RESET STOR			0.0	\$0	\$0	\$0
Other (as needed)	Linda in a	St. Kalender		0.0	\$0	\$0	\$0
Engineering/construction	\$10,000	13-Jun-2004	31-Dec-2007	3.6	\$118	\$2,367	\$2,485
Land				0.0	\$0	n/a	\$0
Record Keeping System	The second second			0.0	\$0	n/a	\$0
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0 -	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)	والمتناء المتناء	1 1 1		0.0	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Agree	ed Order Docket No	o. 2003-0360-PW	S-E. Fin	al date is the esti	ed is the effective demated date of compone-time avoided of \$0 \$0 \$0 \$0	lance.
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]			LC Jordan School and School	0,0	\$0	\$0	\$0
ONE-TIME avoided costs [3]	Color facilities was	of PAPER MANAGEMENT OF THE ST		0,0	\$0	\$0,	\$0
Other (as needed)				0,0	\$0 .	\$0	\$0
	1 Appendix	9 1					

Control of the Contro

Screening Date	15-Feb-2007	Docket	No. 2007-0304-PWS-E	PCW
Respondent	: Kathie Bryant dba Bue	na Vista Water System	Policy R	Revision 2 (September 2002)
Case ID No.	5864		PC	W Revision January 9, 2007
Reg. Ent. Reference No.	RN101190809			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Sandy VanCleave			
Violation Number	5			
Rule Cite(s	TCEQ Agreed Order	Docket No. 2003-0360-PW Tex. Admin. Code §	S-E, Ordering Provision 2.c.iii. and 30 290.44(d)	
Violation Description	throughout the distrib	ution system. Specifically,	least 35 pounds per square inch ("psi") during the investigation, pressure was nd 22 psi at 856 El Camino Street.	
			Base Penalty	\$1,000
>> Environmental, Property				
Release	Harn Major Modera			
OR Actua				
Potentia			Percent 10%	
>>Programmatic Matrix		esetti kiri e		
Falsification	Major Moder	ate Minor	\$250.000	
Jacob SHEN			Percent 0%	
			lu	
Matrix Notes Lack of proback flow	problems and may allow	t) within the distribution sys v a significant amount of co cceed levels that are protec	tem could result in water outages and ontaminants to enter the water supply stive of human health.	
	Largebook MATT	er, a nomerican i Alexandra de Barrer	Adjustment \$900	<u> </u>
				\$100
Violation Events				
\$ 1.00 May \$4.00 May \$1.00	an rock deplicates as a second			與
Number of V	iolation Events 11	97	Number of violation days	
mark only one with an x	daily monthly quarterly x semiannual annual single event		Violation Base Penalty	\$1,100
	rterly events are recomr enforcem	nended based on the Orde ent screening date of Febru	r effective date of June 13, 2004, to the lary 15, 2007. Statutory Limit Test	
Economic Benefit (EB) for t	***************************************	0070	EPTERSONATOR PERSONAL ARREST RESIDENCE DE PROPERTOR DE TENTO VANCONA A PROPERTOR DE LA FERRA DE PERSONA DE LA	1 62 540
Estimat	ed EB Amount	\$373	Violation Final Penalty Tota	\$2,519
		This violation Final A	Assessed Penalty (adjusted for limits	\$2,519

INCUIC	Public Water S	upply				Percent Interest	Years of
Violation No	. 5						Depreciation
						5.0	. 1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	via v salukeltiraliseren	n an	ngo era m			
\$1 - 15 - 15 - 15 - 15 - 15 - 15 - 15 -	od radio Boltonicos, a brok sa manda		promining grows in section case	a de participa a la constanta de la constanta	action at the second of the second	•	
Delayed Costs	Galo Tuli II. Sanganaras	ORIGINAL REPORT OF THE PARTY OF				s di	
Equipment	الويون المستعددات	ينفر بالرباد بعجابرها فالإياد التاو		0,0	\$0	\$0	\$0
Buildings	Secretary and the			0.0	\$0	\$0	\$0
Other (as needed)				0,0	\$0	\$0	\$0
Engineering/construction	\$1,500	13-Jun-2004	31-Dec-2007	3,6	\$18.	\$355	\$373
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal		and the second second second		0,0	\$0	n/a	\$0
				0.0	\$0	l n/a l	\$0
. Permit Costs	Laister and the state of the st	Sandada and Sandada and Sandada	Carrier National Res				
Other (as needed)				0.0 re throu	\$0 ughout the distribu	n/a ion system. Date re	\$0 equired is the
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	effective d	ate of TCEQ Agree	d Order Docket N c	nre through 2003 ompliar one	ghout the distribut 0360-PWS-E. Fluce. item (except for	n/a Date renal date is the estimation system. Date renal date is the estimation one-time avoided of \$0	equired is the ated date of sosts)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	effective d	ate of TCEQ Agree	d Order Docket N c	nre throu c. 2003 ompliar ntering 0.0	s0 gnout the distribut 0360-PWS-E. Fluce. Item (except for \$0 \$0	n/aion system. Date real date is the estimated one-time avoided company \$0 \$0	equired is the ated date of \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	effective d	ate of TCEQ Agree	d Order Docket N c ed costs before e	0.0 o. 2003 ompliar otering 0.0 0.0	s0soghout the distribut 0360-PWS-E. Fluce. item (except for \$0 \$0	n/a	equired is the eated date of \$0\$ sosts) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	effective d	ate of TCEQ Agree	d Order Docket N c ed costs before e	0.0 tre through 2003 ompliar ntering 0.0 0.0 0.0	ighout the distributions of the control of the cont	n/a	source is the equired is the eated date of sosts) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	effective d	ate of TCEQ Agree	d Order Docket N c ed costs before e	0.0 are through 2003 ompliar ompliar on 0.0	ighout the distributions of the control of the cont	n/a	source specified by the state of specified by the specified by the state of specified by the specified by the state of specified by the specifi
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	effective d	ate of TCEQ Agree	d Order Docket N c ed costs before e	0.0 ure through 2003 compliar compliant complia	so s	n/aion system. Date re all date is the estimated at	source state of state
Other (as needed) Notes for DELAYED costs AVOICED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	effective d	ate of TCEQ Agree	d Order Docket N c ed costs before e	0.0 are through 2003 ompliar ompliar on 0.0	ighout the distributions of the control of the cont	n/a	source state of source

	No. 2007-0304-PWS-E	Docket		15-Feb-2007	ening Date	Scre	
ision 2 (September 2002	Policy R	/ista Water System	it dba Buena V	Kathie Bryant	Respondent	F	
Revision January 9, 200	PCI			5864	Case ID No.	(
			09	RN10119080	ference No.	Ent. Ref	Reg.
					lia [Statute]		
					Coordinator		
			7	6	ation Number		
	00.46(4)(2)(4)	Tex. Admin. Code § 29	30		Rule Cite(s)		
		-					
	o maintain a minimum free chlorine ach finished water storage tank and pecifically, during the investigation, a t 113 Las Flores Street revealed a free .05 mg/L.	ns per liter ("mg/L") in ea n system at all times. S _l	of 0.2 milligram the distribution	residual o throughout	n Description	Violatio	
\$1,00	Base Penalty						
		trix	ı Health Mat Harm	nd Human	i, Property a	nmental	> Enviro
		Minor	Moderate	Major	Release		
					Actual		OR
	Percent 10%		X		Potential		19
			skarierovene kar	1985 KIN STERRIKE 1.5		CHORENIEW COR	(<u>.</u> . 7) (4
•		Minor		NALLE	Assessment of the second of the control of the cont	nmatic	>Program
	Percent 0%	Minor	Moderate	Major	Falsification		
	Percent 0%		11				
	ow bacteria to form in the system and				Failing to m	Matrix	
	ow bacteria to form in the system and for human consumption. Adjustment \$900				Failing to m	Matrix Notes	
\$10	for human consumption.				Failing to m		
\$10	for human consumption.				Failing to m	Notes	iolation
\$10	for human consumption. Adjustment \$900		contaminated	may result in	Failing to m	Notes	iolation
	Adjustment \$900 Number of violation days	I water being distributed	contaminated	may result in		Notes	iolation
\$10 \$10	for human consumption. Adjustment \$900	I water being distributed	s 1	may result in		Notes	iolation
	Adjustment \$900 Number of violation days Violation Base Penalty chlorine residual test conducted during	water being distributed 1 water being distributed	s 1 t x nmended base	daily monthly quarterly semiannual annual single event	Number of Vio	Notes	iolation
	Adjustment \$900 Number of violation days Violation Base Penalty chlorine residual test conducted during	water being distributed 104 104 104 105 106 106 107 108 108 109 109 109 109 109 109	s 1 x nmended base the Nov	daily monthly quarterly semiannual annual single event	Number of Vio	Notes Events	
	Adjustment \$900 Number of violation days Violation Base Penalty chlorine residual test conducted during lation.	water being distributed 104 104 104 105 106 106 107 108 108 109 109 109 109 109 109	s 1 t x nmended base the Nov	daily monthly quarterly semiannual annual single event	Number of Vid	Notes Events	

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Violation N		ıpply				Percent Interest	Years o
	o. 6		and the state of t		SERVERSER COLOR DE LA LA LA		Depreciat
					an Valence in Transfer in	5.0	
THE PROPERTY OF THE PROPERTY O	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amoi
Item Descripti	On No commas or \$					Tale (2 oh)	A
F. Telephones constitution 2.2.2	<u>. 19</u> 18 12 (1918 1919) - 1918 170 (19	MARCIA (M. Albertones (MA)					
Delayed Cos			<u>algo di ua Urias andi istica.</u>	0.0	\$0	\$0	\$0
Equipment Buildings			<u> </u>	0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	1.1:A: \$0	\$0
Land	CARGO CONTRACTOR OF THE CARGO	19 Sept 20 10 Feb.	The state of the s	0.0	\$0	n/a	\$0
Record Keeping System		r transferiging an action		0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$300	3-Nov-2006	10-Oct-2007	.0.9 ₁	\$14	n/a	\$14
Notes for DELAYED costs	system			Ngarak dibilanta	a ka	Imated date of comp	
	its <u>ANN</u>	JALIZE [1] avoide	d costs before e			one-time avoided o	
Avoided Cos				0.0	\$0 \$0	\$0 \$0	\$0 \$0
Disposal			The second section of the section of				
Disposal Personnel	11 11			0,0			
Disposal Personnel Inspection/Reporting/Sampling			Z mar namak	0.0	\$0	\$0	\$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment				0.0	\$0 \$0	\$0 \$0	\$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/squipment Financial Assurance [2]				0.0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				0.0 0.0 0.0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/squipment Financial Assurance [2]				0.0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				0,0 '0,0 0,0 0,0 0,0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0

•

Screening Date	15-Feb-2007	Docket No. 2007-0304-PWS-E	PCW
·	•	ena Vista Water System	Policy Revision 2 (September 2002)
Case ID No.			PCW Revision January 9, 2007
Reg. Ent. Reference No.			
	Public Water Supply		
Enf. Coordinator Violation Number			
Rule Cite(s)		1. 0.000 440(0/5) T	2045(1)
(,)	30 Tex. Admin. Coo	de § 290.113(f)(5) and Tex. Health & Safety Code § 341.	0315(6)
Violation Description	Liter ("mg/L") for HAA through the first quar the third quarter of	the maximum contaminant level ("MCL") of 0.060 millign 15, based on a running annual average for the third quarteter of 2006. Specifically, the running annual average of 2004 through the first quarter of 2006 was 0.066, 0.081, 082, 0.076, 0.074 and 0.068 mg/L, respectively.	er of 2004 HAA5 for
		100 C C C C C C C C C C C C C C C C C C	se Penalty \$1,000
>> Environmental, Property a	ınd Human Health Harr	Charles on the control of the contro	
OR Release Actual Potential	Major Moder		
>>Programmatic Matrix	aethal		
Falsification	Major Moder	rate Minor	
		Percent 0%	
		L for HAA5 resulted in the exposure of a significant amou d levels that are protective to human health and the envi	
SORRETOR WHITE SALES SAL	CONTRACTOR OF THE SECURITY CONTRACTOR OF THE SECURITY CONTRACTOR OF THE SECURITY CONTRACTOR OF THE SECURITY CO	A COLOR A COLOR DE SA COLOR DE LA COMPANION DE LA COLOR DE ANOME ANAMENTANDO DE ANTONIO DE ANTONIO DE LA COLOR DE ANTONIO DE A	6050
			\$250
Violation Events	STATEMENT STATE		
5. M. 100 M.	Brand Control of the		公文公司 经收益 化乙烯酸 化乙烯酸 化二烯酸
	2	774 Number of violation da	ays
mark only one with an x	daily monthly quarterly semiannual annual x single event	Violation Bas	se Penalty \$500
	Two	o annual events are recommended.	
Economic Benefit (EB) for th	nis violation	Statutory Limit Te	2000 C 20
Estimate	d EB Amount	\$265 Violation Final Pe	nalty Total \$1,145
		This violation Final Assessed Penalty (adjusted	for limits) \$1,145

		Public Water S	ирріу			-	Percent Interest	Years Deprecia
	Violation No.	S. Harrisania				Average Superiored	5.ol	
		Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amo
	Item Description	Control of the Contro	n christel, implemen	1 67 BBC (2012)			John Cherys	
	Delayed Costs	erserini Visi lippinskretnika di	AND LIKE	r synanthiae e see said aantaliid	0600-02000	Peditiral (L. C.)		sita etimologia a
	Equipment	ti (biyetaki)	Table Landing	تيه يشجعه المدينة المستهدية	0.0	\$0	\$0	\$0
	Buildings	San Ada Siles villa da e	Note that a second	وتنصيا أوزيه سالماسين	0.0	\$0	\$0	.\$0
	Other (as needed)				0,0	\$0	\$0	\$0
E	Ingineering/construction		Tillian de la company		0.0	\$0	316 SOMME	\$0
	Land				0,0	\$0 513 3	n/a	\$0
	Record Keeping System	i irina/u.tik-r2	ar and parameters (CR)	Library Constitution	0.0	\$0	n/a	\$0
	Training/Sampling				0.0	\$0	n/a	\$0
•	Remediation/Disposal		de a complete de la completa del completa de la completa del completa de la completa del la completa de la completa del la completa de la com	egy a complete of a	0,0	\$0	n/a	\$0
	Permit Costs				0.0	\$0	n/a	\$0
No.	Other (as needed)	\$2,500 Estimated exp	30-Sep-2004 pense to implement quarter the N	13-Nov-2006 an alternative mo MCL was exceeded	d. Fina	I date is the date of	n/a required is the last f compliance.	\$265 day of the
N.	Other (as needed)	Estimated exp	pense to implement quarter the N	an alternative mo MCL was exceede	ethod of	disinfection. Date	required is the last f compliance.	day of the f
No.	Other (as needed) lotes for DELAYED costs Avoided Costs	Estimated exp	pense to implement quarter the N	an alternative mo MCL was exceede	ethod of ed. Fina ntering	disinfection. Date	required is the last f compliance. one-time avoided o	day of the f
No.	Other (as needed) lotes for DELAYED costs Avoided Costs Disposal	Estimated exp	pense to implement quarter the N	an alternative mo MCL was exceede	ethod of	disinfection. Date	required is the last f compliance.	day of the f
i di dela	Other (as needed) lotes for DELAYED costs Avoided Costs	Estimated exp	pense to implement quarter the N	an alternative mo MCL was exceede	ethod of ed. Fina ntering	disinfection. Date	required is the last f compliance. one-time avoided o	day of the f
	Other (as needed) lotes for DELAYED costs Avoided Costs Disposal Personjel	Estimated exp	pense to implement quarter the N	an alternative mo MCL was exceede	ethod of	disinfection. Date I date is the date citem (except for a \$0 \$0 \$0 \$0 \$0 \$0	required is the last of compliance.	day of the 1
	Other (as needed) lotes for DELAYED costs Avoided Costs Disposal Personnel ctton/Reporting/Sampiling	Estimated exp	pense to implement quarter the N	an alternative mo MCL was exceede	ethod of Fina (1.00) (1	disinfection. Date I date is the date citem (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	required is the last of compliance. cone-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	day of the 1
Inspec	Other (as needed) lotes for DELAYED costs Avoided Costs Disposal Personnel. stton/Reporting/Sampling Supplies/equipment	Estimated exp	pense to implement quarter the N	an alternative mo MCL was exceede	ethod of Final (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	disinfection. Date I date is the date of item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	required is the last of compliance. one-time avoided or \$0	day of the f
Inspec	Other (as needed) lotes for DELAYED costs Avoided Costs Disposal Personniel stion/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated exp	pense to implement quarter the N UALIZE [1] avoide	an alternative mo MCL was exceede	ethod of Fina (1.00) (1	disinfection. Date I date is the date citem (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	required is the last of compliance. cone-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	day of the f
Inspec	Other (as needed) Iotes for DELAYED costs Avoided Costs Disposal Personjel stion/Reporting/Sampiling Supplies/equipment Financial Assurance [2] E-TIME avoided costs [3]	Estimated exp	pense to implement quarter the N UALIZE [1] avoide	an alternative mo MCL was exceede	ethod of Final (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	disinfection. Date I date is the date of item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	required is the last of compliance. one-time avoided or \$0	day of the f
Inspec	Other (as needed) Iotes for DELAYED costs Avoided Costs Disposal Personjel Stion/Reporting/Sampiling Supplies/equipment Financial Assurance [2] E-TIME avoided costs [3] Other (as needed)	Estimated exp	pense to implement quarter the N UALIZE [1] avoide	an alternative mo MCL was exceede	ethod of Final (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	disinfection. Date I date is the date of item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	required is the last of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	day of the f
Inspec	Other (as needed) Iotes for DELAYED costs Avoided Costs Disposal Personjel stion/Reporting/Sampiling Supplies/equipment Financial Assurance [2] E-TIME avoided costs [3]	Estimated exp	pense to implement quarter the N UALIZE [1] avoide	an alternative mo MCL was exceede	ethod of Final (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	disinfection. Date I date is the date of item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	required is the last of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	day of the f
Inspec	Other (as needed) Iotes for DELAYED costs Avoided Costs Disposal Personjel Stion/Reporting/Sampiling Supplies/equipment Financial Assurance [2] E-TIME avoided costs [3] Other (as needed)	Estimated exp	pense to implement quarter the N UALIZE [1] avoide	an alternative mo MCL was exceede	ethod of Final (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	disinfection. Date I date is the date of item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	required is the last of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	day of the f
Inspec ONE N	Other (as needed) Iotes for DELAYED costs Avoided Costs Disposal Personjel Stion/Reporting/Sampiling Supplies/equipment Financial Assurance [2] E-TIME avoided costs [3] Other (as needed)	Estimated exp	pense to implement quarter the N UALIZE [1] avoide	an alternative mo MCL was exceede	ethod of Final (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	disinfection. Date I date is the date of item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	required is the last of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	day of the 1

Screening Date	15-Feb-2007	Docket N	lo. 2007-0304-PWS-E	PCW
	Kathie Bryant dba Buena \	/ista Water System		Policy Revision 2 (September 2002)
Case ID No.				PCW Revision January 9, 2007
Reg. Ent. Reference No.				HARTER
	Public Water Supply			
Enf. Coordinator				
Violation Number	8			
Rule Cite(s)	30 Tex. Admin. Code §	290.113(f)(4) and Tex. H	ealth & Safety Code § 341.0	315(c)
Violation Description	average for the third quanthe running annual average	rter of 2004 through the s age of TTHM for the third	TTHM, based on a running a second quarter of 2006. Spequarter of 2004 through the 0.176, 0.178, 0.179 and 0.16	cifically, second
			Base	Penalty \$1,000
>> Environmental, Property a	V36, 110 V 86 200 V 86 200 C 6 C 7 C 6 L 6 C 7 C 10 C 7 C 10 C 7 C 7 C 7 C 7 C 7 C 7 C 7 C 7 C 7 C	trix		
Release	Harm Major Moderate	Minor		
OR Actual				
Potential			Percent 25%	
			h	
>>Programmatic Matrix	resident i meneralisas paramet	OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TO THE PERSON NAMED IN COLUM	40	
Falsification	Major Moderate	Minor		
			Percent 0%	
				· · · · · · · · · · · · · · · · · · ·
Matrix Failure	to comply with the MCL for	TTHM resulted in the exr	oosure of a significant amour	nt of
Notes contaminar	nts which did not exceed lev	els that are protective to	human health and the enviro	onment.
			Adjustment	\$750
	CONTRACTOR STATE OF		Aujustinent	<u>Ψ,οο</u>
				\$250
Thought the residence of the second state of		araliau is progressius al 2000 a 8.22385 de la 2238	AMERICA SANGER EN LISTE SANGE STORE STORE EN LISTE SANGE	
Violation Events	and the second s	AND THE RESERVE OF THE PARTY OF	Huis Andreas Benedicture (1987)	1900 (1900) (1900) (1900) (1900) (1900) (1900) (1900) (1900) (1900) (1900) (1900) (1900) (1900) (1900) (1900)
		T	Number of violation day	10
	2	869	Number of violation day	75
	daily	"		
	monthly	1		
mark only one	quarterly	1	Violation Base	e Penalty \$500
with an x	semiannual	7		-
	annual x			
	single event			
*		***		
	<u>_</u>			·
	I wo an	nual events are recomme	ended.	
Economic Benefit (EB) for th	nis violation		Statutory Limit Te	st
Estimate	ed EB Amount	\$490	Violation Final Pen	alty Total \$1,145
		This violation Final As	seesed Penalty (adjusted t	for limits) \$1 145
		inia violation i inal As	Joseph Charty (adjusted i	
		This violation Final As	ssessed Penalty (adjusted t	for limits) \$1,145

	. 8	upply				Percent Interest	Years of Depreciatio
					V S Stayes	,5:0	
AMELINAL STATE	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amoun
Item Descriptio	n No commas or \$		endrigskalency, ar e	di di Sangara Di Lilia kudi,	andesse order	TANKIN AK	
Delayed Cost	S to the control of t	, Augulumi	10-16-1	M. Saturbayan Co.			
Equipment			ribus Arak	0,0	\$0	\$0	\$0
Buildings	BUILD LUCE ALC	as a superior		0.0	\$0	\$0	\$0
Other (as needed)	2.159.0003011		Machinerons, training	0.0	\$0	\$0 \$0	\$0 \$0
Engineering/construction	a scar in anasimie			0.0	\$0 \$0	n/a	\$0 \$0
Land Record Keeping System				0.0	\$0	n/a	\$0
			<u>Alling transports of the second seco</u>	0.0	\$0	n/a	\$0
Training/Sampling						SPEEDS OF THE LAND WAS AND AND ADDRESS OF THE	
Training/Sampling Remediation/Disposal				0.0	\$0	l n/a	\$0
Training/Sampling Remediation/Disposal Permit Costs					\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal	\$2,500 Estimated ex		was exceeded. F	0,0 0.0 3.9 ethod of	\$0 \$490 disinfection. Date	n/a n/a required is the last late of compliance.	\$0 \$490
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0,0 3,9 ethod of	\$0 \$490 disinfection. Date	n/a n/a required is the last date of compliance.	\$0 \$490 day of the firs
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0,0 3,9 ethod of inal date	\$0 \$490 disinfection. Date is the estimated of	n/a n/a required is the last date of compliance. one-time avoided of	\$0 \$490 day of the firs
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost Disposal	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0.0 3.9 ethod of inal date	\$0 \$490 disinfection. Date is the estimated of item (except for \$0	n/a n/d required is the last date of compliance.	\$0 \$490 day of the firs
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDE COST Disposal Personnel	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0,0 3,9 ethod of inal date	\$0 \$490 disinfection. Date is the estimated of	n/a n/a required is the last date of compliance.	\$0 \$490 day of the firs
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost Disposal	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0.0 3.9 ethod of inal date	\$0 \$490 disinfection. Date is the estimated of item (except for \$0 \$0	n/a n/d required is the last date of compliance.	\$0 \$490 day of the firs
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost Disposal Personnel Inspection/Reporting/Sampling	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0,0 3,9 ethod of inal date entering 0.0 0.0 0.0	\$0 \$490 disinfection. Date is the estimated of item (except for \$0 \$0 \$0 \$0	n/a n/a n/a required is the last date of compliance. one-time avoided (\$0, \$0 \$0 \$0 \$0 \$0	\$0 \$490 day of the firs costs) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0.0 3.9 ethod of inal date entering 0.0 0.0 0.0 0.0	\$0 \$490 disinfection. Date is the estimated of item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a required is the last date of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 \$490 day of the firs costs) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0.0 3.9 ethod of inal date entering 0.0 0.0 0.0 0.0	\$0 \$490 disinfection. Date is the estimated of item (except for \$0 \$0 \$0 \$0	n/a n/a n/a required is the last date of compliance. one-time avoided (\$0, \$0 \$0 \$0 \$0 \$0	\$0 \$490 day of the firs costs) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0.0 3.9 ethod of inal date entering 0.0 0.0 0.0 0.0	\$0 \$490 disinfection. Date is the estimated of item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a required is the last date of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 \$490 day of the firs costs) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated ex	pense to Implemen quarter the MCL	t an alternative m was exceeded. F	0,0 0.0 3.9 ethod of inal date entering 0.0 0.0 0.0 0.0	\$0 \$490 disinfection. Date is the estimated of item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a required is the last date of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 \$490 day of the firs costs) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated ex	pense to implemen quarter the MCL, UALIZE [1] avoide	t an alternative m was exceeded. F	0,0 0.0 3.9 ethod of inal date entering 0.0 0.0 0.0 0.0	\$0 \$490 disinfection. Date is the estimated of item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a required is the last date of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 \$490 day of the firs costs) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated ex	pense to implemen quarter the MCL, UALIZE [1] avoide	t an alternative m was exceeded. F	0,0 0.0 3.9 ethod of inal date entering 0.0 0.0 0.0 0.0	\$0 \$490 disinfection. Date is the estimated of item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a required is the last date of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 \$490 day of the firs costs) \$0 \$0 \$0 \$0 \$0

Compliance History

Rating: Site Rating:

11656 0270008 0270008

Customer/Respondent/Owner-O	perator: CN601589815	BRYANT, KATHIE	Classification:
Regulated Entity:	RN101190809	BUENA VISTA WS	Classification:
ID Number(s):	UTILITIES PUBLIC WATE WATER LICEN	R SYSTEM/SUPPLY SING	REGISTRATION REGISTRATION LICENSE
Location:	***************************************	STA DR, BURNET, TX, 78611	1
TCEQ Region:	REGION 11 - A	USTIN	
Date Compliance History Prepar	ed: March 7, 2007		
Agency Decision Requiring Com	pliance History: Enforcement		
Compliance Period:	March 07, 2002	to March 07, 2007	
TCEQ Staff Member to Contact	for Additional Information Regarding	this Compliance History	
Name: Christopher Ke	effer P	Phone: (512) 239-5610)
	Site	Compliance History Con	nponents
1. Has the site been in existence	and/or operation for the full five yea	ar compliance period?	Yes
2. Has there been a (known) cha	ange in ownership of the site during	the compliance period?	No
3. If Yes, who is the current own	er?		N/A
4. if Yes, who was/were the price	or owner(s)?		
5. When did the change(s) in ov	vnership occur?		
Components (Multimedia)	for the Site :		
•	ders, court judgements, and conser	nt decrees of the state of Texa	as and the federal government.
Classifi Citatior Descrip the effl Classifi Citatior Descrip	otion: Failed to equip gravity or presuent turbidity of each filter can be incation: Moderate 30 TAC Chapter 290, SubChapter 341, SubChapter 341, SubChapter 341, SubChapter ication: Moderate 30 TAC Chapter 290, SubCh	ssure-type filter, at a surface we dividually monitored. apter D 290.45(b)(2)(C) hapter A 341.0315(c) hump capacity of at least 0.6 grapher D 290.45(b)(2)(B)	vaters supply, with a sampling tap so that allons per minute for each connection.
Descri	5A THC Chapter 341, SubChation: Failed to provide a treatment		ater supply, of at least 0.6 gpm for each
connec Classif Citatio	ition. ication: Moderate n: 30 TAC Chapter 290, SubCh	apter F 290.110(b)(2)	in the water w/in the distribution system.
Citation	ication: Moderate n: 30 TAC Chapter 290, SubCh otion: Failed to provide a water pres		oints of the distribution system.
B. Any criminal convicti N/A	ons of the state of Texas and the fe	deral government.	
C. Chronic excessive e	nissions events.		
N/A			
D. The approval dates	of investigations. (CCEDS Inv. Track	k. No.)	
1 04/25/2002 2 07/14/2002 3 06/06/2003	2 (874)		

4 10/01/2003 (250470)

(272278)

5 06/25/2004

```
10/25/2004
                         (497470)
         11/22/2004
                         (511062)
         02/15/2005
                         (511249)
     9
        03/03/2005
                         (511260)
     10
     11
         04/21/2005
                         (511283)
                         (511274)
     12 04/27/2005
         06/22/2005
                         (395991)
     13
         07/08/2005
                         (511315)
     14
        07/15/2005
    15
                         (511287)
     16
         08/05/2005
                         (398279)
         09/29/2005
     17
                         (511330)
         09/30/2005
                         (511338)
     18
         01/04/2006
                         (511356)
     19
    20
         01/12/2006
                         (511362)
    21
         04/18/2006
                         (511377)
     22
         04/19/2006
                         (511418)
    23
         04/21/2006
                         (458878)
    24
         07/20/2006
                         (511437)
         09/25/2006
                         (513477)
Written notices of violations (NOV). (CCEDS Inv. Track. No.)
      Date: 06/06/2003
                              (33771)
      Self Report?
                                                                                Classification:
                                                                                                 Minor
                         30 TAC Chapter 290, SubChapter D 290.42(d)(5)
      Citation:
      Description:
                         Failure to provide a flow measuring device for the water recycled water stream.
                                                                                Classification:
      Self Report?
                         30 TAC Chapter 290, SubChapter D 290.42(d)(6)(E)[G]
      Citation:
      Description:
                         Failure to provide containment for the water system's alum storage tank.
      Date: 06/25/2004
                              (272278)
      Self Report?
                                                                                Classification:
                                                                                                 Minor
      Citation:
                         30 TAC Chapter 290, SubChapter D 290.46(s)(1)
                         Failure to calibrate the finished water meter.
      Description:
                                                                                Classification:
      Self Report?
                      NO
                                                                                                 Minor
      Citation:
                         30 TAC Chapter 290, SubChapter D 290.46(m)[G]
      Description:
                         Failure to maintain the water system's facilities.
                                                                                Classification:
      Self Report?
                      NO
                                                                                                 Minor
      Citation:
                         30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(i)
      Description:
                         Failure to maintain copies of monthly operating reports (MOR's).
      Self Report?
                      NO
                                                                                Classification:
                                                                                                 Minor
      Citation:
                         30 TAC Chapter 290, SubChapter D 290.46(m)[G]
      Description:
                         Failure to maintain the water system's facilities.
      Self Report?
                      NO
                                                                                Classification:
                                                                                                 Minor
      Citation:
                         30 TAC Chapter 290, SubChapter D 290.46(m)(2)
      Description:
                         Failure to perform annual inspections of the water system's pressure filters.
      Date: 10/25/2004
                              (497470)
      Self Report?
                                                                                Classification:
                                                                                                 Moderate
                         30 TAC Chapter 290, SubChapter F 290.113(f)(5)
      Citation:
                         Violated the maximum contaminant level for haloacetic acids in the third guarter of 2004.
      Description:
      Date: 11/22/2004
                               (511062)
                                                                                Classification:
      Self Report?
                                                                                                 Moderate
      Citation:
                         30 TAC Chapter 290, SubChapter F 290.113(f)(4)
      Description:
                         Violated the maximum contaminant level for trihalomethanes in the third quarter of 2004.
      Date: 02/15/2005
                               (511249)
      Self Report?
                                                                                Classification:
                                                                                                 Moderate
      Citation:
                         30 TAC Chapter 290, SubChapter F 290.113(f)(5)
                         Violated the maximum contaminant level for haloacetic acids in the fourth quarter of
      Description:
                         2004.
      Date: 03/03/2005
                              (511260)
      Self Report?
                                                                                Classification:
                                                                                                 Moderate
                         30 TAC Chapter 290, SubChapter F 290.113(f)(4)
      Citation:
                         Violated the maximum contaminant level for trihalomethanes in the fourth quarter of
      Description:
                              (511283)
      Date: 04/21/2005
      Self Report?
                      NO
                                                                               Classification:
                                                                                                 Moderate
```

(333814)

6

E.

09/15/2004

Citation:

30 TAC Chapter 290, SubChapter F 290.113(f)(4)

Description:

Violated the maximum contaminant level for trihalomethanes in the first quarter of 2005.

Date: 04/27/2005 (511274)

Self Report? NO

30 TAC Chapter 290, SubChapter F 290.113(f)(5)

Citation:

Description:

Violated the maximum contaminant level for haloacetic acids in the first quarter of 2005.

Date: 07/08/2005

(511315)

Self Report?

NO

Citation:

30 TAC Chapter 290, SubChapter F 290.113(f)(4)

Description:

Violated the maximum contaminant level for trihalomethanes in the second quarter of

Date: 07/15/2005

(511287)

Self Report?

NO

30 TAC Chapter 290, SubChapter F 290.113(f)(5)

Citation: Description:

Violated the maximum contaminant level for haloacetic acids in the second quarter of

2005 Date: 08/11/2005 (398279)

Self Report? Citation:

Citation:

Citation:

NO

30 TAC Chapter 290, SubChapter D 290.42(d)(13)[G]

Description:

Failed to label all plant piping and chemical feed lines.

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.42(d)(15)(E)

Description:

Self Report? NO

Failed to provide facilities to monitor the depth of the sludge-blanket.

Classification: Moderate

Classification:

Moderate

Moderate

Moderate

Minor

Minor

Minor

Moderate

Minor

Minor

Moderate

Moderate

30 TAC Chapter 290, SubChapter D 290.42(d)(11)(E)(ii) Citation:

Description:

Failed to equip each filter with an on-line turbidimeter and recorder.

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.42(d)(11)(D)(i)

Description:

Self Report? NO

Failed to equip the filters with rate of flow indication.

30 TAC Chapter 290, SubChapter D 290.42(e)(4)(A) Citation:

Description: NO

Failed to provide a self contained breathing apparatus.

Self Report? Citation:

30 TAC Chapter 290, SubChapter D 290.46(t) Failed to have a system ownership sign.

Description:

Self Report? NO

30 TAC Chapter 290, SubChapter F 290.121(a) Citation: Failed to maintain an up-to-date chemical and microbiological monitoring plan.

Description: Date: 09/29/2005 (511330)

Self Report?

30 TAC Chapter 290, SubChapter F 290.113(f)(5)

Citation: Violated the maximum contaminant level for haloacetic acids in the third quarter of 2005. Description:

Date: 09/30/2005

(511338)

Self Report?

30 TAC Chapter 290, SubChapter F 290.113(f)(4)

Citation: Description:

Violated the maximum contaminant level for trihalomethanes in the third quarter of 2005

Date: 01/04/2006 (511356)

Self Report?

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.113(f)(5)

Description:

Violated the maximum contaminant level for haloacetic acids in the fourth quarter of

2005 (511362)

Date: 01/12/2006

Self Report?

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.113(f)(4)

Description:

Violated the maximum contaminant level for trihalomethanes in the fourth quarter of

2005

(511377)Date: 04/18/2006

Self Report?

Classification:

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.113(f)(5)

Violated the maximum contaminant level for haloacetic acids in the first quarter of 2006. Description:

Date: 04/19/2006

(511418)

Self Report? NO Classification:

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.113(f)(4)

Description:

Violated the maximum contaminant level for trihalomethanes in the first quarter of 2006.

Classification:

Moderate

Date: 07/20/2006

Self Report?

NO

Citation: Description:

30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Violated the maximum contaminant level for trihalomethanes in the second quarter of

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

Voluntary on-site compliance assessment dates. Н.

N/A

Participation in a voluntary pollution reduction program. ١.

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
KATHIE BRYANT DBA BUENA VISTA	§	
WATER SYSTEM	§	
RN101190809	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2007-0304-PWS-E

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Kathie Bryant dba Buena Vista Water System ("Ms. Bryant") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and Ms. Bryant presented this agreement to the Commission.

Ms. Bryant understands that she has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Ms. Bryant agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Ms. Bryant.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

- 1. Ms. Bryant owns and operates a public water supply located at 119 Buena Vista Drive in Burnet County, Texas (the "Facility") that has approximately 123 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. During an investigation on November 3, 2006, TCEQ staff documented that Ms. Bryant failed to equip each filter with an on-line turbidimeter and recorder which allows the operator to measure and record the turbidity at 15 minute intervals.
- 3. During an investigation on November 3, 2006, TCEQ staff documented that Ms. Bryant failed to equip each filter with a manually adjustable rate-of-flow controller with rate-of-flow indication or flow control valves with indicators.
- 4. During an investigation on November 3, 2006, TCEQ staff documented that Ms. Bryant failed to provide a service pump capacity that provides each pump station or pressure plane with two or more pumps that have a total capacity of 2.0 gallons per minute ("gpm") per connection or that have a total capacity of at least 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less. Specifically, during the investigation, it was documented that the water system reported a service pump capacity of 180 gpm. Based on the number of connections, the water system is required to provide a service pump capacity of 246 gpm.
- 5. During an investigation on November 3, 2006, TCEQ staff documented that Ms. Bryant failed to provide a treatment plant capacity of 0.6 gpm per connection. Specifically, during the investigation, it was documented that the system's treatment capacity is 0.081 million gallons per day ("mgd") based on the limitations of four pressure filters and 0.079 mgd based on the sedimentation basin capacity. Based on the number of connections, the water system is required to provide a minimum of 0.106 mgd under normal conditions.
- 6. During an investigation on November 3, 2006, TCEQ staff documented that Ms. Bryant failed to provide a minimum water pressure of at least 35 pounds per square inch ("psi") throughout the distribution system. Specifically, during the investigation, pressure was recorded at 28 psi at 113 Las Flores Street and 22 psi at 856 El Camino Street.
- 7. During an investigation on November 3, 2006, TCEQ staff documented that Ms. Bryant failed to operate the disinfection equipment to maintain a minimum free chlorine residual of 0.2 milligrams per liter ("mg/L") in each finished water storage tank and throughout the distribution system at all times. Specifically, during the investigation, a field test conducted on a water sample collected at 113 Las Flores Street revealed a free chlorine residual of 0.05 mg/L.

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- 8. During an investigation on November 3, 2006, TCEQ staff documented that Ms. Bryant failed to comply with the maximum contaminant level ("MCL") of 0.060 mg/L for haloacetic acid ("HAA5"), based on a running annual average for the third quarter of 2004 through the first quarter of 2006. Specifically, the running annual average of HAA5 for the third quarter of 2004 through the first quarter of 2006 was 0.066, 0.081, 0.096, 0.082, 0.076, 0.074 and 0.068 mg/L, respectively.
- 9. During an investigation on November 3, 2006, TCEQ staff documented that Ms. Bryant failed to comply with the MCL of 0.080 mg/L for trihalomethane ("TTHM"), based on a running annual average for the third quarter of 2004 through the second quarter of 2006. Specifically, the running annual average of TTHM for the third quarter of 2004 through the second quarter of 2006 was 0.131, 0.174, 0.206, 0.191, 0.176, 0.178, 0.179 and 0.167 mg/L, respectively.
- 10. Ms. Bryant received notice of the violations on August 13 and December 26, 2006.
- 11. The Executive Director recognizes that Ms. Bryant has maintained compliance with the MCL for HAA5 since the third quarter of 2006.

II. CONCLUSIONS OF LAW

- 1. Ms. Bryant is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
- 2. As evidenced by Findings of Fact No. 2, Ms. Bryant failed to equip each filter with an on-line turbidimeter and recorder, in violation of 30 TEX. ADMIN. CODE § 290.42(d)(11)(E)(ii).
- 3. As evidenced by Findings of Fact No. 3, Ms. Bryant failed to equip each filter with a manually adjustable rate-of-flow controller with rate-of-flow indication or flow control valves with indicators, in violation of 30 Tex. ADMIN. CODE § 290.42(d)(11)(D)(i).
- 4. As evidenced by Findings of Fact No. 4, Ms. Bryant failed to provide a service pump capacity that provides each pump station or pressure plane with two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less, in violation of 30 Tex. ADMIN. CODE § 290.45(b)(2)(F) and Tex. Health & Safety Code § 341.0315(c).
- 5. As evidenced by Findings of Fact No. 5, Ms. Bryant failed to provide a treatment plant capacity of 0.6 gpm per connection, in violation of TCEQ Agreed Order Docket No. 2003-0360-PWS-E, Ordering Provision 2.c.i., 30 Tex. Admin. Code § 290.45(b)(2)(B) and Tex. Health & Safety Code.§ 341.0315(c).
- 6. As evidenced by Findings of Fact No. 6, Ms. Bryant failed to provide a minimum water pressure of at least 35 psi throughout the distribution system, in violation of TCEQ Agreed Order Docket No. 2003-0360-PWS-E, Ordering Provision 2.c.iii. and 30 TEX. ADMIN. CODE § 290.44(d).

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- 7. As evidenced by Findings of Fact No. 7, Ms. Bryant failed to operate the disinfection equipment to maintain a minimum free chlorine residual of 0.2 mg/L in each finished water storage tank and throughout the distribution system at all times, in violation of 30 Tex. ADMIN. CODE § 290.46(d)(2)(A).
- 8. As evidenced by Findings of Fact No. 8, Ms. Bryant failed to comply with the MCL of 0.060 mg/L for HAA5, in violation of 30 Tex. ADMIN. CODE § 290.113(f)(5) and Tex. HEALTH & SAFETY CODE § 341.0315(c).
- 9. As evidenced by Findings of Fact No. 9, Ms. Bryant failed to comply with the MCL of 0.080 mg/L for TTHM, in violation of 30 TEX. ADMIN. CODE § 290.113(f)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
- 10. Pursuant to Tex. Health & Safety Code § 341.049, the Commission has the authority to assess an administrative penalty against Ms. Bryant for violations of the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
- 11. An administrative penalty in the amount of Eight Thousand Nine Hundred Thirty-One Dollars (\$8,931) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). Ms. Bryant has paid One Hundred Five Dollars (\$105) of the administrative penalty. The remaining amount of Eight Thousand Eight Hundred Twenty-Six Dollars (\$8,826) of the administrative penalty shall be payable in seven monthly payments at One Hundred Five Dollars (\$105) each, then 27 monthly payments at Two Hundred Eighty-Nine Dollars (\$289) each, and the 36th payment in the amount of Two Hundred Eighty-Eight Dollars (\$288). The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If Ms. Bryant fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of Ms. Bryant to meet the payment schedule of this Agreed Order constitutes the failure by Ms. Bryant to timely and satisfactorily comply with all the terms of this Agreed Order.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Ms. Bryant is assessed an administrative penalty in the amount of Eight Thousand Nine Hundred Thirty-One Dollars (\$8,931) as set forth in Section II, Paragraph 11 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Ms. Bryant's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Kathie Bryant dba Buena Vista Water System, Docket No. 2007-0304-PWS-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. Ms. Bryant shall undertake the following technical requirements:
 - a. Within 10 days after the effective date of this Agreed Order, begin maintaining a residual disinfectant concentration of at least 0.2 mg/L free chlorine or 0.5 mg/L chloramine in the water entering the distribution system, as required by 30 Tex. Admin. Code § 290.46.
 - b. Within 30 days after the effective date of this Agreed Order:
 - i. Equip each filter with an on-line turbidimeter and recorder which allows the operator to measure and record the turbidity at 15 minute intervals, as required by 30 Tex. ADMIN. CODE § 290.42; and
 - ii. Equip each filter with a manually adjustable rate-of-flow controller with rate-of-flow indication or flow control valves with indicators, as required by 30 Tex. ADMIN. CODE § 290.42.
 - c. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance as described in Ordering Provision 2.j. for Ordering Provision 2.a. and 2.b.

- d. With 90 days after the effective date of this Agreed Order:
 - i. Provide a service pump capacity for each pump station or pressure plane with two or more pumps that have a total capacity of 2.0 gpm per connection, as required by 30 TEX. ADMIN. CODE § 290.45;
 - ii. Provide a treatment plant capacity of 0.6 gpm per connection, as required by 30 Tex. ADMIN. CODE § 290.45; and
 - iii. Submit an engineering study which addresses the low pressures being experienced within the distribution system. This study shall include plans and specifications, which have been prepared by a registered professional engineer, for any system improvements needed to maintain a minimum pressure of 35 psi at all points within the distribution network at flow rates of at least 1.5 gallons per minute per connection, as required by 30 Tex. ADMIN. CODE § 290.44(d). These plans and specifications shall be submitted to:

Rate Analysis & Plan Review Team, Utilities & Districts Section Water Supply Division, MC 153
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- e. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the study, plans and specifications within 30 days after the date of such requests, or by any other deadline specified in writing.
- f. Within 105 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.d. as described in Ordering Provision 2.j.
- g. Within 180 days after the effective date of this Agreed Order, begin operating the Facility so as to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions, in accordance with 30 Tex. ADMIN. CODE § 290.44.
- h. Within 195 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.g. as described in Ordering Provision 2.j.
- i. Within 365 days after the effective date of this Agreed Order, return to compliance with the running annual average MCL for TTHM.
- j. Within 380 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.i. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 219 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Austin Regional Office Water Section Manager Texas Commission on Environmental Quality 2800 South IH 35, Suite 100 Austin, Texas 78704-5712

- 3. The provisions of this Agreed Order shall apply to and be binding upon Ms. Bryant. Ms. Bryant is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Ms. Bryant shall be made in writing to the Executive Director. Extensions are not effective until Ms. Bryant receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Ms. Bryant if the Executive Director determines that Ms. Bryant has not complied with one or more of the terms or conditions in this Agreed Order.
- 6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against Ms. Bryant in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

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- 8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
dba Buena Vista Water System. I am authorize Kathie Bryant dba Buena Vista Water System, a	Date 2/7/2008 attached Agreed Order in the matter of Kathie Bryant d to agree to the attached Agreed Order on behalf of and do agree to the specified terms and conditions. I
further acknowledge that the TCEQ, in accepting p such representation.	payment for the penalty amount, is materially relying on
waives certain procedural rights, including, but a addressed by this Agreed Order, notice of an evid the right to appeal. I agree to the terms of the	Order, Kathie Bryant dba Buena Vista Water System not limited to, the right to formal notice of violations entiary hearing, the right to an evidentiary hearing, and Agreed Order in lieu of an evidentiary hearing. This on by the Commission of the violations set forth in this
 failure to timely pay the penalty amount, may resu A negative impact on my compliance histo Greater scrutiny of any permit applications Referral of this case to the Attorney Gen penalties, and/or attorney fees, or to a colle Increased penalties in any future enforcem 	ory; as submitted by me; eral's Office for contempt, injunctive relief, additional ection agency; tent actions against me; l's Office of any future enforcement actions against me; y law.
Hathie Bryant Signature Kathi'E BRYant	Date Owner Operator Title
Name (Printed or typed) Authorized Representative of	Title
Kathie Bryant dba Buena Vista Water System	•

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

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